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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,107	01/08/2002	Margaret Gardner MacPhail	AUS920010596US1	6316

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International Business Machines Corporation  
Intellectual Property Law Department  
Internal Zip 4054  
11400 Burnet Road  
Austin, TX 78758

EXAMINER
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NGUYEN, CAM LINH T

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 06/08/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/042,107

Applicant(s)

MACPHAIL, MARGARET  
GARDNER

Examiner

CamLinh Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01/08/2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 – 3, 8 – 11, 13 – 15, 20 – 23, 25 – 27, 32 - 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Makus et al (U.S. 2002/0059210).

♦ As per claim 1, 13, 25,

Makus discloses a computer controlled database system for providing a user with database output through a user interface having predefined dimensions limiting the capacity of each iterative segment of output comprising:

- “ Database means for storing a plurality of different types of output data”

See page 4, paragraph 0045, page 5, and paragraph 0051.

- “ Means for providing data segments for each of the different types of stored data” See Fig. 10, and 3. Fig. 3 displays a data segments from different types of data. This includes text, image, HTML files (see 0051).

The database is organized by subject/sub subject or index; therefore, each subject/sub subject corresponds to a data segment that will be output to the user interface.

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- " Each segment having a capacity limited by said predefined dimensions of said user interface" See page 2, paragraph 0010. Makus teaches that depend on the space of the display, the hierarchical levels are displayed. The PDA or other display screens are used in the invention (see 0038). Therefore, each device has its own "predefined dimension" of user interface (See Fig. 1C for a cell phone display, Fig. 2 for a bigger display screen, paragraph 0043).
  - " Means for providing a plurality of strings of said segments, each string including a sequence of segments of one different type of stored data" see Fig. 3 – 6. Again, the data can includes text, image, HTML files (see 0051).
  - " Means for enabling a user to select one of said strings of segments to be output" See paragraph 0048, and Fig. 9.
  - "Means for outputting said selected string of segments at said user interface" See paragraph 0051.
- ♦ As per claim 2, 14, 26,
- " User interface is a computer controlled display interface" See paragraph 0038.
  - "Said database means for storing said output data is connected to said user interface through a network" See paragraph 0045.
- ♦ As per claim 3, 15, 27,
- "Said network is the World Wide Web" see paragraph 0003, 0043.
- ♦ As per claim 8, 20, 32,

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- " Said computer controlled display interface is on a receiving display station on said WWW" See Fig. 2. The information is displayed in a PDA, over the Internet, therefore, the PDA interface is considered as a receiving display station.

♦ As per claim 9, 21, 33,

- "Said means for providing said strings of data segments are associated with said database means connected by the World Wide Web to said receiving display station" See Fig. 1C, paragraph 0043.

♦ As per claim 10, 22, 34,

- "Said World Wide Web further includes a service provider for organizing and providing data from database sources on said World Wide Web to said receiving display station; and said service provider includes said means for providing said plurality of strings of said segments to said receiving display station" See paragraph 0045.

♦ As per claim 11, 23, 35,

- "Said receiving display station further includes means for selecting and displaying one of said plurality of strings of said segments provided to said receiving display station" see fig. 2 – 8.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4 – 7, 12, 16 – 19, 24, 28 – 31, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makus et al (U.S. 2002/0059210) in view of Randal Lee Guck (U.S. 5,864,870).

♦ As per claim 4 – 7, 16 – 19, 28 – 31,

Makus does not clearly disclose that the string includes a sequence of number of segments of image, text, video, or audio type of data. However, Makus teaches that the database in the invention is organized in a hierarchical relationship structure (paragraph 0015), and many types of data can be displayed in this hierarchical database (paragraph 0039). Some of them can be text, image, html files (paragraph 0051). Clearly, Makus implicitly teaches that if an image has relationship with another one, they should be displayed in a sequence of segments.

On the other hand, Guck discloses a database that can organize different data formats (See Fig. 4A). Therefore, when a user selects a text file, the next level should include other text files or the sequence of the segment.

As a result, if the limitations of the above were not inherent in Makus system, it would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Guck into the system of Makus because the combination would provide the user a clearly interface of a directory information, allowing the user select information as user desired.

3. Claims 12, 24, 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Makus et al (U.S. 2002/0059210) in view of Benschoter et al (U.S. 2003/0101230).

♦ As per claim 12, 24, 36

Makus does not clearly disclose that "said receiving display station further includes means for changing the order of segments to be displayed in a selected one of said plurality of strings of segments". However, it is well known in the art that a user can customize the display by copy and paste or drag and drop the data information. Benschoter discloses a system that allows the user to select the order of video clips to be played (See Fig. 7, paragraph 0039). Benschoter teaches different ways to rearrange the list by using the button arrow 745 to arrange the video clips or using drag-and-drop method. It would have been obvious to one with ordinary skill in the art at the time the invention was made to apply the teaching of Benschoter into the system of Makus because the combination would provide the user the flexibility in arrange data item based on the user desires.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Egli et al (U.S. 2003/0110234) discloses a system for delivering media to multiple disparate client devices based on their capabilities.
- Mitsuru Kono (U.S. 6,628,509) discloses a handheld computer and data processing system.

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- Najmi et al (U.S. 2003/0040850) discloses an intelligent adaptive optimization of display navigation and data sharing.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CamLinh Nguyen whose telephone number is 305-1951. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



WAYNE AMSBURY  
PRIMARY PATENT EXAMINER

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